IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

-

WRIT PETITION NO : 14554 of 2004

Between:

Repalle Vedanta Suri, S/o Manohar Swamy,
R/o 2-2-313, Kishapura, Hanmakonda, Warangal District

..... PETITIONER

AND

1 The District Collector, Warangal District
2 K.Ramreddy, S/o
R/o Mariped Village, Warangal District
3 K.Subhashini, W/o K.Ramreddy,
R/o Maripeda Village, Warangal District
4 Station House Officer, Hanmakonda, Warangal District
5 Superintendent of Police, Warangal

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Habeas Corpus directing the respondents to produce the petitioner's wife i.e. Sabitha who was abducted by the 2nd and 3rd respondents along with others, and also direct the respondents 4 and 5 to take action to trace out the petitioner's wife and set her at liberty forthwith.

Counsel for the Petitioner :MR.HARINATHA REDDY.N.

Counsel for the Respondents 1, 4 & 5 : ADVOCATE-GENERAL.

Counsel for the respondents 2 & 3: None appeared.

The Court made the following :

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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1 . Petitioner earlier filed W.P.No.24735 of 2003 seeking a writ of Habeas Corpus for production of his wife Sabitha stated to have been unlawfully detained by respondents 2 to 4. The said writ petition was closed on 01.12.2003 after Sabitha was called to the Court. She stated that she was undergoing her studies and presently studying by staying with her parents and would like to complete her studies and would join petitioner's company after completion of studies. Now the present writ petition is filed complaining that petitioner's wife is continued to be unlawfully detained by respondents 2 and 3. Petitioner claims that he approached respondent No.5 in this regard, but he stated that it is a civil matter.

2. When petitioner's wife had voluntarily gone and joined her parents and earlier petition was closed, it is hardly any case in which, on the basis of the allegations made in the writ petition, direction can be issued for procuring the custody of the petitioner's wife. The petitioner has adequate and efficacious remedy of filing a petition before the concerned Magistrate. Accordingly writ petition is dismissed.

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DEVINDER GUPTA. C.J.,

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C.V. RAMULU. J.,

Dated: 17.08.2004.

VRK.

To

1 The District Collector, Warangal District
2 The Station House Officer, Hanmakonda, Warangal District
3. The Superintendent of Police, Warangal.

4. Two CD copies.

5. Two CCs to the Advocate General, High Court of A.P., Hyderabad.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO. 14554 OF 2004.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 17.08.2004.